

APPROVED: MEETING NO. 14-86

ATTEST: *Helen Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 10-86

March 10, 1986

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, March 10, 1986, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams  
(arrived at 8:10 p.m.)

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: City Manager Richard V. Robinson, City Clerk Helen Heneghan, City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Robinson reported the following:

1. City staff is finalizing a proposed plan for the City archives and records management program as requested by the Mayor and Council. The draft plan includes coordination with the Montgomery County archives for the proper storage of historical City documents; updating departmental records and retention schedules; and increased use of microfilming of important documents either through lease or purchase of the City's own microfilm equipment or a cooperative agreement with Montgomery County.

2. On Sunday, April 27, the City will host the Maryland segment of the Super Run-America's Race, 10 kilometer road race. One city in each of the fifty

states has been selected to conduct the race, which will lead to a national final at Lake Tahoe in May.

A letter has gone out to all mayors and city managers in Maryland challenging them to compete with Rockville's mayor and city manager in the road race or to participate in the one mile mayor's walk.

The purpose of this race is to recognize the efforts of dedicated runners, joggers and walkers in America.

3. The County Executive has informed us that due to continuing negotiations with Tribune-United Cable Corp. on Tribune's proposed modifications to the franchise agreement, he has postponed his decision on the modification request while these negotiations are progressing.

Assistant City Attorney, David Podolsky, has been assigned to monitor the cable negotiations on behalf of the City as well as other municipalities that are participating in the cable franchise.

4. A letter has been received from Holladay/Tyler thanking the staff and Mayor and Council for participation in the solution of a problem for the Twinbrook Neighborhood. The City has gone a long way toward resolving those problems and he is pleased with the results.

Councilman Hartogensis asked that copies of the letter the City received from Holladay/Tyler be made available to the press.

Dr. Coles, Principal of Wootton High School addressed the Mayor and Council and thanked them on behalf of the students, the Athletic Director, Jack Loudenberg, and the Boosters for the installation of the stadium lights. He presented the City with a \$5,000 payment for the lights.

Michelle Bates, Troop 741, addressed the Mayor and Council on behalf of the Girl Scouts of America who are presently engaged in their annual cookie sale. Members of the Mayor and Council and the staff purchased cookies from the girls.

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Mayor Van Grack invited those listening to attend a reception to meet the City Manager, Richard Robinson, and his family, here at City Hall on Tuesday, March 25, from 5:00 p.m. to 8 p.m.

Councilman Hartogensis briefed the gathering on the meeting held March 10 between representatives of the State, Montgomery County, District and Circuit Court. At the time the Court is relocated to Rockville there will be an additional 350 people in Rockville each day in private cars. A task force is going to look into what can be done to alleviate this problem. At the present time, some of the County parking garages are funded by private enterprise zones. At the next meeting of the task force, the agenda will address the location of a garage and who will pay for it.

Councilman Abrams just returned from the National League of Cities meeting in Washington, D.C. He told the Mayor and Council it is a pleasure to attend National meetings to realize what good shape the City of Rockville is in. The conference focused on large issues such as the deficit reduction, revenue sharing and Gramm/Rudman. Most interesting was a proposal for changes in Urban Mass Transit to encourage the privatization of transportation as the City is considering with the Rockville Pike Shuttle.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Robert Jacques. Mr. Jacques asked the Council to clarify the sign notification he had received since there are many signs in the Historic District that should be grandfathered. The Planning Director said the letters had been sent out to respond to complaints about illegal signs.

Mr. Jacques announced the addition to his family of Christopher Robert Jacques, who joined them on January 13.

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2. Jackie Williams, 132 South Adams Street. Ms. Williams told the Mayor and Council that the residents who are property owners were well aware of the new sign regulations. She is pleased to see the City beginning to enforce them.

3. Marie Desmond, 5707 Stillwell Road, member of the Board of Directors of Twinbrook Citizens Association, read a letter to the Mayor and Council from the president of the association concerning the Holladay/Tyler plant and neighborhood concerns. The Mayor and Council thanked Ms. Desmond for her comments and Mayor Van Grack added, though the City is not totally satisfied, they are pleased with the progress.

4. Charlotte Joseph, Montrose Civic Association, addressed the Mayor and Council and noted that she is aware the Polinger Company has increased the rent at Congressional Towers and the Rollins Park Apartments. It has come to her attention that many of the foreign scientists attached to NIH have difficulty in meeting the increases. She asked the City to address whether or not there are people who need help, know where to go for help, and is that help is available. What can the City do to assure housing for all citizens.

5. Glenn Looper, 118 Monroe Street, Rockville Chamber of Commerce. He complimented the Mayor and Council on the attempt to solve the Courthouse Parking and also look into the larger issue of traffic circulation. He suggested as a solution to the parking problem at Stonestreet that the City look to a 24 hour time limit.

Mr. Looper said the 650 members of the Chamber of Commerce support the City police efforts and would hope that the police study would do the same and he suggested the long term (89) plans should look to redistricting the County Police.

6. Charles Haughey, 1000 Aster Boulevard, Chairman of the Advisory Commission on Public Education, presented the Mayor and Council with the annual

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report of the advisory commission and gave an overview and work schedule for next year. He announced that the meeting with the PTA's that was cancelled due to snow, would be rescheduled for March 24.

There being no other citizen wishing to address the Mayor and Council, the Mayor closed the citizens forum portion of the meeting.

Re: Adoption of  
Ordinance: To Grant  
Text Amendment Appli-  
cation, T-71-85, to  
Amend Section 2-  
203(c)(6) of Chapter  
6 of the "Laws of  
Rockville, entitled  
Zoning Ordinance, to  
change the method of  
filing applications  
for the Board of  
Appeals

Ordinance No. 5-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Ordinance No. 5-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, changing the method of filing applications for the Board of Appeals, was adopted by the Mayor and Council.

Re: Adoption of  
Ordinance: To grant  
Text Amendment Appli-  
cation, T-73-85, to  
amend Section 2-102  
of Chapter 6, Zoning  
Ordinance, to  
increase the member-  
ship of the Planning  
Commission from the  
present five members  
to seven members

Ordinance No. 6-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Ordinance No. 6-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, increasing the membership of the Planning Commission

from the present five members to seven members, was adopted by the Mayor and Council.

Re: Adoption of Resolution: To grant Annexation Petition, X-98-85, Red Gate Limited partnership, Applicant, request to enlarge the corporate boundaries by adding 319,871 square feet of land, located at the interchange of Shady Grove Road and I-270

Resolution No. 12-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Resolution No. 12-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, to grant Annexation Petition, X-98-85, Red Gate Limited Partnership, Applicant, to enlarge the corporate boundaries by adding 319,871 square feet of land, located at the interchange of Shady Grove Road and I-270, was adopted by the Mayor and Council.

Re: Introduction of Ordinance: To amend the zoning map of the City by placing 319,871 square feet of land, Red Gate Limited Partnership in the I-3, Industrial Zone

On motion of Councilman Coyle, there was introduced upon the table an ordinance to amend the zoning map of the City of Rockville by placing 219,871 square feet of land, Red Gate Limited Partnership, Application, in the I-3, Industrial Zone, said ordinance to lay over at least one week before final action is taken.

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Re: Adoption of  
Ordinance: To grant  
Street Closing and  
Abandonment Applica-  
tion, SCA-49-85,  
Hershey Investment  
Co., Applicant,  
requesting the  
abandonment of 9,682  
square feet of land  
on Church Street

Ordinance No. 7-86

On motion of Councilman Coyle, duly seconded and unanimously passed, Ordinance No. 7-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, to grant Street Closing and Abandonment Application, SCA-49-85, Hershey Investment Co, Applicant, requesting the abandonment of 9,682 square feet of land on Church Street, was adopted by the Mayor and Council.

Re: Approval of SWM  
Waiver, 707 W.  
Montgomery Avenue

This single family lot located at 707 West Montgomery Avenue on the north side of West Montgomery Avenue between Mannakee Street and Nelson Street is located in the Watts Branch drainage area. Runoff from this site enters an inlet in the alley to the north of the property and is conveyed by an enclosed storm drain until it is discharged into Watts Branch west of Nelson Street. The impervious area anticipated for this improvement is 3,432 square feet.

Proposed SWM facilities at Welsh Park and Anderson Park which are currently under design can compensate for the additional runoff from this site. Therefore, it is recommended that a waiver be granted and a contribution of \$407 ( $0.0666 \times .305 \text{ Ac} \times \$20,000$ ) to the SWM fund be accepted.

On motion of Councilman Coyle, duly seconded and unanimously passed, the SWM Waiver for 707 W. Montgomery Drive and the contribution of \$407 recommended by staff was approved by the Mayor and Council.

Re: Award of Contract,  
 Bid No. 47-86,  
 Vehicle Replacement  
 of Police Cruisers

As a part of the Vehicle Replacement Program, Bid No. 47-86 was opened on March 6, 1986, at 3:00 p.m. The purpose of the bid is to provide for the purchase of five police cruisers scheduled for replacement during FY 86.

This year the City had an unusual opportunity. Because of the timing of the bids, the City could take bids in the usual manner and compare them with the State of Maryland Police Cruisers bid recently let. The State of Maryland bid this year was \$10,775.88 for police cruisers meeting the City's specifications.

The FY 86 budget provides \$11,000 per vehicle for five vehicles or a total of \$55,000. For comparison the 1985 purchase price was \$10,489 for each of seven vehicles. Also, because of the City's experience with the mid-size "Celebrity" cruiser bid last year, the bid documents this year describe the full-size cruiser.

The State bid was for 150 units - which gives the City the best opportunity to participate in a "volume bid" compared with the City's annual bids on four to seven cruisers.

Specifications this year include the paragraph "the City reserves the right to reject any and all bids and to waive any informality in bids received whenever such rejection or waiver is in its interests."

<u>Vendor</u>	<u>Unit Bid</u>	<u>Total Bid</u>
1. J.K.J. Chevrolet 2000 Chain Bridge Road Vienna, Virginia 22180	\$10,934.00	\$54,670.00
2. Lanham Ford, Inc. 9020 Lanham-Severn Road Lanham, Maryland 20706	\$11,615.00	\$58,075
(State Bid) Sport Chevrolet 3101 Automobile Boulevard Silver Spring, Maryland 20904	\$10,775.88	\$53,879.40 (low bid)



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Budget provision	\$11,000.00	\$55,000.00
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Staff recommends the Mayor and Council take the following action:

(1) Reject the bids received under Vehicle Replacement Bid No. 47-86 (Police Cruisers); and

(2) Authorize the City Manager to purchase five police cruisers under the State's volume bid through Sport Chevrolet for a total low bid of \$53,879.40.

On motion of Councilman Coyle, duly seconded and unanimously passed, the Mayor and Council approved the staff's recommendation.

Re: Adoption of  
Ordinance: To Amend  
Chapter 10 of the  
Laws of Rockville to  
update the Property  
Maintenance Code

Ordinance No. 8-86

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 8-86, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, to amend Chapter 10 of the "Laws of Rockville" to update the Property Maintenance Code, was adopted by the Mayor and Council.

The Councilmembers complimented the staff on the excellent report tendered with the materials this evening.

Re: Discussion on  
Purchase of Bryan  
Property

On motion of Councilman Duncan, the discussion was moved to executive session since it involved property acquisition.

Re: Appointments

Mayor Van Grack made the following appointments, they were confirmed by the Council:

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Cultural Arts Commission: Eileen Mader - reappointed - two-year term

Kenneth Lechter - appointed - two year term  
8 Eaglebrook Court

Landlord/Tenant Affairs Commission: Maurice Ward - reappointed - two-year term

Recreation & Park Board: Stanley Harris - reappointed - two year term

Advisory Commission on Public Education: Elyse Weiner - appointed - 2 year term  
17 Pebble Ridge Court

\*Naomi Resnick - appointed to fill next vacancy  
953 Farm Haven Drive

Re: Approval of Minutes

On motion of Councilman Hartogensis, duly seconded and unanimously passed, the Minutes of Meeting No. 4-86, February 3, 1986, were approved as written.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 5-86, February 10, 1986, were approved as written.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Maryland Municipal League, re doorprize for convention

The City Clerk was instructed to purchase a suitable door prize as a donation to the Maryland Municipal League.

2. Alexander Greene, re Cable Television
3. A. M. Ziegler, re property maintenance

In answer to Councilman Coyle's question Mr. Groff said the matter is being handled by the police and Licenses and Inspections Department.

4. David Brown, re Stonestreet parking
5. Holladay/Tyler, re move
6. City Administrator, Takoma Park, re cable television

Councilman Hartogensis suggested that the City should be communicating since their problems are similar.

\*Ms. Resnick was appointed to fill a one-year term under the assumption that the vacancy occur in March.

## 7. J. A. Mazzetta, re Rockville Housing

Councilman Hartognesis complimented Mrs. Mazzetta on this thoughtful letter and the City shares her concerns about housing.

## 8. R. F. McMullen, Sr., re Croyden Park

9. Senator Stone, re election bills  
Delegate Koss, re election bills

## 10. Louise Goldstein, re Flag Day

## 11. Sue B. Eckstein, re Fortune Parc

## 12. Young In Heart, re commending City Employee

## 13. Del. Gordon, re HB 1384

## 14. Woodmont Park, re Minut Mart flyer

Councilman Hartogensis asked if there is a law against this type of litter. Mr. Groff said there is and the people have so been told. Councilman Hartogensis asked that an article be placed in the City newsletter explaining this law to merchants.

## 15. Walter Samson, re traffic light at Rt. 28/Shady Grove

Councilman Abrams noted the response to this.

## 16. G. R. Wilson, re Rt. 28 widening

Mayor Van Grack asked the City Manager to follow up on this matter.

## 17. W. M. Livingstone, re Fortune Parc

Re: Information Items

The Mayor and Council noted the following items of information:

## 1. Progress Report on Student Government Days

The Mayor and Council agreed the Student Government Days should continue and said it is an excellent program.

## 2. Description of Turnkey III program

## 3. Memo re traffic signal at Falls/Kersey

The Mayor asked for more information on this since it was his idea that the City was front forwarding the money. Councilman Abrams suggested that Congressman Barnes also be contacted.

## 4. Senior Center Newsletter

5. Croyden Park Plan

Councilman Duncan asked the time table. The Planning Director, Mr. Davis, said a public forum would be held by the Planning Commission on March 26. Then after work sessions, a recommendation would be sent to the Mayor and Council.

6. Status Report on Legislation of interest to Rockville

7. Memo re Text Amendment to be filed by Historic District Commission

The Mayor and Council agreed that this text amendment should be filed for further action.

Re: New Business

1. Councilman Abrams asked that the City contact the City Manager of Sunnyvale, California to discuss his budget method which is done with a 10 year projection.

2. Mayor Van Grack asked the Council to review the testimony for the bill requesting funding for the F. Scott Fitzgerald Theatre. He will be delivering the testimony on Wednesday. The Mayor and Council approved the testimony.

3. Mayor Van Grack, on behalf of the Mayor and Council, proceeded to issue Proclamation No. 1-86, honoring the United States Air Force Tactical Air Command Band and its conductor for providing the people of Rockville immense musical pleasure and urged all citizens to attend their performance to be given on Tuesday, March 18, at the Richard Montgomery High School Auditorium.

4. Mayor Van Grack explained to the Council that Montgomery County Bills 11-86 and 12-86 would be the subject of a public hearing on April 1 and asked for comments on the testimony. The Mayor and Council agreed this could be placed on the March 24 agenda.

5. Councilman Duncan reminded the staff that the Rockville Girls Basketball team is in the state Championships and asked the students be brought in. Mr. Vandrey is handling this.

6. Councilman Duncan asked that the staff look into placing seat belt signs in appropriate places in the City.

7. Councilman Coyle showed the Mayor and Council a pin that is being distributed by the Elks and asked if more information be gathered on this.

Re: Executive Session

There being no further business to come before the Mayor and Council in general session, the meeting was closed for executive session for discussion of property purchase and litigation.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 10:30 p.m. to convene again in general session on Monday, March 24, 1986, at 8:00 p.m. or at the call of the Mayor.